

**DEPARTMENT ONE – JUDGE PAUL BEEMAN  
TENTATIVE RULINGS SCHEDULED FOR  
WEDNESDAY, AUGUST 18, 2010**

**CHASE BANK USA v. PATENIA  
Case No. FCM112972**

Motion for Judgment on the Pleadings, filed by Plaintiff

**TENTATIVE RULING**

Plaintiff's motion for judgment on the pleadings is granted. Defendant has made no statements that controvert the allegations in the complaint and has not stated any facts to constitute a defense. Judgment is to be entered in the amount of \$10,442.73, together with pre-judgment interest at the rate of 10% from November 7, 2009. Costs and attorney's fees may be awarded upon the appropriate filings required under Rules 3.1700 and 3.1702 of the California Rules of Court.

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**PARISH v. HILTON  
Case No. FCS033994**

Compromise of Disputed Claim of Minor

**TENTATIVE RULING**

Pursuant to California Rules of Court, Rule 7.952, Petitioner, the minor, and counsel are to appear.

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**YUZON, ET AL. v. ALBERT D. SEENO CONSTR. CO., INC., ET AL.  
Case No. FCS034802**

Demurrer, Motion to Strike

**TENTATIVE RULING**

Defendant's demurrer is overruled and its motion to strike is denied. Although the Court agrees that Plaintiffs are required to comply with the pre-litigation procedure set forth under the Right to Repair Act or to demonstrate entitlement to release from the requirement (*Standard Pac. Corp. v. Superior Court* (2009) 176 Cal.App.4th 828, 832), Defendant's proper recourse is to file a motion for a stay of the action until the requirements of the Act are satisfied. (Civ. Code § 930(b).)